

**NATIONAL LABOR RELATIONS BOARD**

**ADM TRUCKING, INC., A DIVISION OF  
ADM CO.,**

**Employer**

**And**

**BAKERY, CONFECTIONERY,  
TOBACCO WORKERS & GRAIN  
MILLERS INTERNATIONAL UNION,  
AFL-CIO, CLC LOCAL 103-G,**

**Petitioner.**

**Case No. 25-UC-144747**

**MOTION FOR ADMINISTRATIVE DISMISSAL OF PETITION**

Employer, ADM Trucking, Incorporated, A Subsidiary of Archer Daniels Midland Company, Springfield, IL (“ADM”), by and through its undersigned counsel, requests administrative dismissal of the Petition in the above-captioned case. In support of this Motion Employer states:

1. Administrative dismissal of a Unit Clarification (“UC”) Petition such as this one is encouraged by the Board’s own Rules as set forth at NLRB Rules and Regulations Section 102.63(b) and as discussed at 11492.1 and 11492.3 of the Representation Casehandling Manual.

2. The unit sought to be accreted here (Springfield, IL) is 47.7 miles away from the unit which seeks to add it (Decatur, IL). Springfield transports different products from Decatur, has different terms of employment, wages and different supervision. As such, it constitutes a separate bargaining unit which should not be accreted into The Decatur Unit under Board precedent. Moreover, the differences between Springfield and Decatur are such that the

employees do not share the overwhelming community of interest required for accretion by Board precedent.

3. The Springfield location is an expanding unit, which came into existence on January 5, 2015, and which has not yet reached its full complement of employees.

4. The Decatur Unit's collective bargaining agreement contains a recognition clause that limits the Unit to a single Decatur location. Employer operates 30 other unrepresented terminals similar to Springfield, including several terminals in Illinois, which are not accretions to or represented by the Decatur unit.

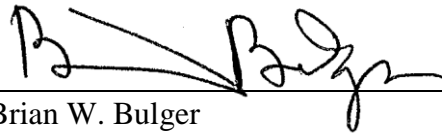
5. The Petitioner's statement of "bargaining history" is inapplicable, because it does not involve the Springfield unit sought here. Further, there is no showing that prior voluntary recognition of another, now-closed unit (Taylorville, IL) and its inclusion in a collective bargaining agreement with Decatur was consistent with Board policy, which invalidates it as "bargaining history." In any event, this kind of "bargaining history" cannot overcome the Board's strong preference for employee self-determination through voting over accretion, especially in the circumstances here which demonstrate a lack of community of interest between the two terminals.

6. In further support of this Motion, Employer submits a Statement of Position outlining the relevant facts and legal standards which support this Motion For Administrative Dismissal.

Wherefore, Employer respectfully requests that the Petition here be administratively dismissed.

Date: January 30, 2015

ADM Trucking, Incorporated, A Subsidiary of  
Archer Daniels Midland Company,  
Counsel for Employer

By: \_\_\_\_\_

Brian W. Bulger  
Meckler Bulger Tilson Marick & Pearson, LLP  
123 N. Wacker Drive, Suite 1800  
Chicago, Illinois 60606  
Phone: 312.474.7990  
Fax: 312.474.7898  
Email: [brian.bulger@mbtlaw.com](mailto:brian.bulger@mbtlaw.com)

## **CERTIFICATE OF SERVICE**

I, Brian W. Bulger, do hereby certify that on the 30th day of January, 2015, I caused to be served a true and correct copy of the foregoing **ADM's Motion For Administrative Dismissal** upon:

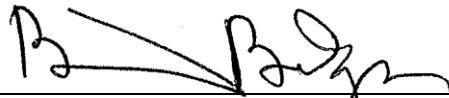
Andrew R. Weatherford  
Johnson, Chiligris & Weatherford  
412 S. Franklin Street  
Decatur, IL 62523  
Phone: (217) 422-2880  
Fax: (217) 422-0622  
Email: [andrewweatherford@chiligris.com](mailto:andrewweatherford@chiligris.com)  
*Counsel for Bakery, Confectionery,  
Tobacco Workers & Grain Millers  
International Union, AFL-CIO, CLC  
Local 103-G*

Joe Lee  
Bakery, Confectionery, Tobacco Workers  
& Grain Millers International Union,  
AFL-CIO, CLC Local 103-G  
2955 North Woodford Street  
Decatur, IL 62526  
Phone: (217) 875-2400  
Fax: (217) 875-9865  
Email: [leeboyzx3@hotmail.com](mailto:leeboyzx3@hotmail.com)

Grant T. Dodds, Field Examiner  
Nathaniel E. Strickler, Officer in Charge  
National Labor Relations Board -  
SubRegion 33  
300 Hamilton Boulevard, Suite 200  
Peoria, IL 61602  
Phone: (309) 671-7059 (GTD)  
Phone: (309) 671-7080 (NES)  
Fax: (309) 671-7095  
Email: [Grant.Dodds@nrlb.gov](mailto:Grant.Dodds@nrlb.gov)  
[Nathan.Strickler@nrlb.gov](mailto:Nathan.Strickler@nrlb.gov)

Rik Lineback, Regional Director  
Regional Office  
National Labor Relations Board  
Minton-Capehart Federal Building  
575 N. Pennsylvania Street, Room 238  
Indianapolis, IN 46204-1577  
Phone: (317) 226-7381  
Fax: (317) 226-5103  
Email: [Rik.Lineback@nrlb.gov](mailto:Rik.Lineback@nrlb.gov)

*either via e-filing, email, facsimile transmission and United States mail by depositing same, postage prepaid, in the U.S. Mail chute located at 123 N. Wacker Drive, Chicago, IL on or before 5:00 p.m.*



Brian W. Bulger  
Counsel for ADM